



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,962	11/13/2003	Timothy Alan Dietz	AUS920030423US1	2898

7590 03/09/2006

Mark S. Walker  
International Business Machines Corporation  
Intellectual Property Law Department  
Internal Zip 4054, 11400 Burnet Road  
Austin, TX 78758

EXAMINER

AIRAPETIAN, MILA

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/713,962

Applicant(s)

DIETZ ET AL.

Examiner

Mila Airapetian

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/13/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 8, 9, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrahams (US 6,618,714) in view of Vrhel et al. (hereinafter Vrhel) (US 6,598,223).**

**Claim 8.**

Abrahams teaches a computer-implemented method for recommending electronic component connectivity configurations comprising:

prompting said purchaser to make a sequence of a plurality of interactive data entries on said display station defining the values of a respective set of attributes selected by said purchaser for each of said components (col. 3, lines 63-67, col. 4, lines 1-3);

searching on the Web for sources of components having attributes satisfying said defined values (col. 4, lines 5-10) ;

prompting said purchaser to make a sequence of interactive data entries on said display station, defining the values of a set of attributes selected by said purchaser for the overall computer system (col. 3, lines 63-67, col. 4, lines 1-3);

determining a computer system optimized to purchaser selected values of the attributes of each of said components from said Web sources reconciled with the

Art Unit: 3625

attribute values selected by the purchaser for the overall computer system (col. 4, lines 5-12).

However Abrahams does not teach offering said optimized computer system for sale to said purchaser on said display station.

Vrhel teaches a method for installing and testing build-to-order components in a defined configuration computer system including offering said optimized computer system for sale to said purchaser on said display station (col. 6, lines 4-5, col. 6, lines 25-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Abrahams to include offering said optimized computer system for sale to said purchaser on said display station, as disclosed in Vrhel, because it would advantageously allow the customer to make additions or changes to the ordered computer system without sacrificing the testing integrity of the defined configuration computer systems of the defined configuration manufacturing model (col. 5, lines 57-63).

**Claim 9.** Abrahams teaches all the limitations of claim 9 except said purchaser is a manufacturer producing a quantity of offered computer systems and a quantity of each of said components is to be used in the manufacture of said quantity of said offered computer systems.

Vrhel teaches said method including that said purchaser is a manufacturer producing a quantity of offered computer systems and a quantity of each of said components is to be used in the manufacture of said quantity of said offered computer systems (col. 6, lines 25-30).

The motivation to combine Abrahams and Vrhel would be to allow the customer to make additions or changes to the ordered computer system without sacrificing the testing integrity of the defined configuration computer systems of the defined configuration manufacturing model (col. 5, lines 57-63).

**Claim 13.** Abrahams teaches said method wherein at least one of said set of attributes for the overall computer system has values limited by overall resources available for the overall computer system (col. 4, lines 5-12).

**Claim 14.** Abrahams teaches said method further including the step of displaying an alert to said purchaser when attribute values selected by said purchaser for components are not reconcilable with attribute values selected by said purchaser for the overall computer system (col. 13, lines 46-49).

**Claim 15.** Abrahams teaches said method wherein at least one of said set of attributes for at least one of said plurality of components has values limited by a quality of the supplier of said component (col. 13, lines 51-54).

**Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abrahams and Vrhel, as applied to claim 8, and further in view of Miller et al. (hereinafter Miller) (US 6,934,147).**

**Claim 10.** Abrahams and Vrhel teaches all the limitations of claim 10 except that at least one of said set of attributes for the overall computer system has values limited by industry standards.

Miller teaches a bus assembly for switchgear conductors wherein a switchgear is mounted in a metal cabinet in compliance with electrical industry standards (col. 4, lines 63-64).

The motivation to combine Abrahams, Vrhel and Miller would be to ensure that the final product is in compliance with safety regulations.

**Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abrahams and Vrhel, as applied to claim 8, and further in view of Yoseloff et al. (hereinafter Yoseloff) (US 6,935,946).**

**Claim 11.** Abrahams and Vrhel teaches all the limitations of claim 11 except that at least one of said set of attributes for the overall computer system has values limited by laws.

Yoseloff teaches a video gaming apparatus for wagering with universal computerized controller wherein an EPROM chip have to be mounted onto a daughter board and connected to the motherboard to assure gaming law compliance (col. 11, lines 30-35).

The motivation to combine Abrahams, Vrhel and Yoseloff would be to avoid any legal problems related to the final product.

**Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abrahams, Vrhel and Yoseloff, as applied to claim 11, and further in view of Blanko (US 5,839,575).**

**Claim 12.** The combination of Abrahams, Vrhel and Yoseloff teaches all the limitations of claim 12 except that said laws limiting said values are **environmental laws**.

Blanko teaches a receptacle for flat articles, like floppy disks, compact disks wherein said receptacle complies with all environmental laws (col. 2, lines 11-12).

The motivation to combine Abrahams, Vrhel and Blanko would be to ensure that the final product is in compliance with federal regulations.

**System claims 1-7** repeat the subject matter of method claims 8-15 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 8-15 have been shown to be fully disclosed by the teachings of Abrahams, Vrhel, Miller, Yoseloff and Blanko in the above rejections of claims 8-15, it is readily apparent that the system disclosed by Abrahams, Vrhel, Miller, Yoseloff and Blanko includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 8-15, and incorporated herein.

**Claims 16-22** are rejected on the same rationale as set forth above in Claim 8-15.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) US 6,615,406 to Amberg et al. teaches an apparatus for use in the manufacturing of a computer system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA



Jeffrey A. Smith  
Primary Examiner